

Proceeding by the Department of Telecommunications and Energy on its own Motion to Develop Requirements for Mass Migrations of Telecommunications Service End-Users

LEGAL NOTICE

On April 19, 2002, the Department of Telecommunications and Energy ("Department") issued an Order Opening Proceeding and Initiation of Mass Migrations Collaborative ("Order") in docket D.T.E 02-28. In the Order, the Department initiated an industry collaborative to adapt for use in Massachusetts the Mass Migration Guidelines approved by the New York Public Service Commission ("NYPSC"). Mass Migration Guidelines are used when a competitive local exchange carrier exits the market, or a portion of the market, and has a significant customer base to migrate to other carriers. The Department-sponsored collaborative was assigned to develop a set of draft guidelines to submit to the Department for its approval. The Massachusetts Mass Migrations Collaborative consists of telecommunications carriers active in Massachusetts.

On June 7, 2002, the Massachusetts Mass Migrations Collaborative submitted Draft Guidelines to the Department. A copy of the Draft Guidelines are available for public inspection during normal business hours at the Department's Telecommunications Division, One South Station, Boston, MA. As anticipated in the Order, the Department now begins the adjudicatory phase of the proceeding, and allows all those affected by the issues addressed in the Draft Guidelines to petition to intervene in this docket for the purpose of submitting written comments on the Draft Guidelines. The Department will then issue a written order establishing final requirements with which telecommunications providers must comply when they go out of business, file for bankruptcy, or otherwise terminate service in some or all markets in Massachusetts, and have a significant customer base to migrate to other carriers.

Any person who desires to participate in the adjudicatory proceeding concerning the Draft Guidelines must file a written petition for leave to intervene in the proceeding. A petition to intervene must satisfy the timing and substantive requirements of 220 C.M.R.

§ 1.03. Receipt by the Department – not mailing – constitutes filing and determines whether a petition has been timely filed. A late-filed petition to intervene may be disallowed as untimely, unless good cause is shown for waiver of the intervention deadline. To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10.

Petitions to intervene and written comments on the Draft Guidelines should be filed on

or before the close of business on Wednesday, June 26, 2002, at the following address:

Mary Cottrell, Secretary
Department of Telecommunications and Energy
One South Station, Second Floor
Boston, Massachusetts 02110
RE: DTE 02-28

All petitions to intervene and written comments must be submitted by electronic mail to Paula.Foley@state.ma.us and dte.efiling@state.ma.us in addition to filing the comments with the Secretary at the above address.

By Order of the Department,

_____/s/_____
MARY L. COTTRELL, SECRETARY